

# ATTACHMENT 39

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: DA VINCI SURGICAL )  
ROBOT ANTITRUST LITIGATION )  
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                               )  
                               )  
THIS DOCUMENT RELATES TO:     ) Lead Case No. 3:21-cv-03825-VC  
ALL CASES                     )  
\_\_\_\_\_  
                               )  
SURGICAL INSTRUMENT SERVICE )  
COMPANY, INC.,                 )  
                               )  
                               )  
                               Plaintiff,                 )  
                               )  
                               )  
vs.                             )  
                               ) Case No. 3:21-cv-03496-VC  
INTUITIVE SURGICAL, INC.,     )  
                               )  
                               )  
                               Defendant.                 )  
\_\_\_\_\_  
                               )

REMOTE VIDEOTAPED DEPOSITION OF  
T. KIM PARRELL, Ph.D.  
Friday, March 10, 2023  
Volume I

Reported by:  
NADIA NEWHART  
CSR No. 8714  
Job No. 5783314  
PAGES 1 - 251

only associated with the -- the assessment of the cost associated with the Intuitive refurbishment or repair process and how they would do it.

4 They costed it on the basis of -- they  
5 appeared to at least cost it out on the basis of 04:46:21  
6 performing the refurbishment in the United States.

7 And I would go on to say they -- their refurbishment  
8 program included a lot of parts replacement that is  
9 not a part of the Rebotix process or Restore or  
10 anything that was contemplated by Iconocare or any 04:46:40  
11 of the others.

12 So it was a very different process. It was a  
13 more costly process, and they decided it wasn't cost  
14 effective. I can understand that.

15 Q Let's look at the last appearance of the term 04:46:52  
16 "quality." This is page 128, paragraph 286.

17 A Page 128, 286. Okay. Yes.

18 Q And here you discuss how Intuitive performs  
19 analyses of RMA data as part of its standard quality  
20 control activities. 04:47:14

21 So that's also not what you were discussing  
22 before the break, correct?

23 A That's right. What I was discussing before  
24 the break was questions about what they -- what  
25 Intuitive does or might do with regard to quality 04:47:25

1                   I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby  
3 certify:

4                   That the foregoing proceedings were taken  
5 before me at the time and place herein set forth;  
6 that any witnesses in the foregoing proceedings,  
7 prior to testifying, were administered an oath; that  
8 a record of the proceedings was made by me using  
9 machine shorthand which was thereafter transcribed  
10 under my direction; that the foregoing transcript is  
11 a true record of the testimony given.

12                  Further, that if the foregoing pertains to the  
13 original transcript of a deposition in a Federal  
14 Case, before completion of the proceedings, review  
15 of the transcript [X] was [ ] was not requested.

16                  I further certify that I am neither financially  
17 interested in the action nor a relative or employee  
18 of any attorney or any party to this action.

19                  IN WITNESS WHEREOF, I have this date subscribed  
20 my name.

22                  Dated: March 14, 2023

23                    
24

25                  NADIA NEWHART

CSR NO. 8714